

DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that my citizenship, postal address and residence are as stated below; that I verily believe I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the invention entitled:

GROWTH FACTOR

the specification of which

_____ is attached hereto, or

X was filed on August 21, 1997 as Application Serial No. 08/915,795 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56. I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)		Priority Claimed	
<u>PO 1825</u>	<u>Australia</u>	<u>23 August 1996</u>	<u>yes</u>
(Number)	(Country)	(Day/Month/Year)	
<u>PO 3554</u>	<u>Australia</u>	<u>11 November 1996</u>	<u>yes</u>
(Number)	(Country)	(Day/Month/Year)	
<u>PO 4954</u>	<u>Australia</u>	<u>5 February 1997</u>	<u>yes</u>
(Number)	(Country)	(Day/Month/Year)	
<u>PO 7435</u>	<u>Australia</u>	<u>19 June 1997</u>	<u>yes</u>
(Number)	(Country)	(Day/Month/Year)	

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

<u>60/023,751</u>	<u>23 August 1996</u>
(Application Serial No.)	(Filing Date)
<u>60/031,097</u>	<u>14 November 1996</u>
(Application Serial No.)	(Filing Date)
<u>60/038,814</u>	<u>10 February 1997</u>
(Application Serial No.)	(Filing Date)
<u>60/051,426</u>	<u>1 July 1997</u>
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)
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I hereby appoint as principal attorneys James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Gary R. Edwards, Reg. No. 31,824; Joseph D. Evans, Reg. No. 26,269; Herbert I. Cantor, Reg. No. 24,392; Jeffrey D. Sanok, Reg. No. 32,169, to prosecute and transact all business in the Patent and Trademark Office connected with this application and any related United States and international applications. Please direct all communications to:

Evenson, McKeown, Edwards & Lenahan P.L.L.C.
 1200 G Street, N.W., Suite 700
 Washington, D.C. 20005
 Telephone: (202) 628-8800
 Facsimile: (202) 628-8844

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

INVENTOR: Marc G. ACHEN

Citizenship: Australia

Postal Address/Residence: Unit 3, 38 Chapman St, North Melbourne,
Victoria 3051, Australia

23/12/98
Date

M. Achen
Signature

INVENTOR: Andrew F. WILKS

Citizenship: Australia

Postal Address/Residence: 6 Macfarlan Ln, South Yarra, Victoria 3141,
Australia

24/1/98
Date

A. Wilks
Signature

INVENTOR: Steven A. STACKER

Citizenship: Australia

Postal Address/Residence: 30 McKean St, North Fitzroy, Victoria 3068,
Australia

23/12/98
Date

S. Stacker
Signature

INVENTOR: Kari ALITALO

Citizenship: Finland

Postal Address/Residence: Nyyrikintie 4 A, 02100 Espoo, Finland

Date

Signature

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(Filing Date)

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1. DEC 1997

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

DECLARATION AND POWER OF ATTORNEY

Attorney Docket No. 1064/42983

Page 2.

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

INVENTOR: Marc G. ACHEN

Citizenship: Australia

Postal Address/Residence: 86 Charles St, Fitzroy, Victoria 3065, Australia

Date

Signature

INVENTOR: Andrew F. WILKS

Citizenship: Australia

Postal Address/Residence: 6 Macfarlan Ln, South Yarra, Victoria 3141,
Australia

Date

Signature

INVENTOR: Steven A. STACKER

Citizenship: Australia

Postal Address/Residence: 30 McKean St, North Fitzroy, Victoria 3068,
Australia

Date

Signature

INVENTOR: Kari ALITALO

Citizenship: Finland

Postal Address/Residence: Nyyrikintie 4 A, 02100 Espoo, Finland

December 14, 1998

Date



Signature

Applicant or Patentee: Marc Achen et al.

Serial or Patent No.: _____ Attorney's Docket No.: 1064/42983

Filed or Issued: August 21, 1997

For: GROWTH FACTOR

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Helsinki University Licensing Ltd., Oy
ADDRESS OF ORGANIZATION P.O. Box 26
SF-00014 University of Helsinki, Finland

TYPE OF ORGANIZATION:

- ☒ UNIVERSITY OF OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled GROWTH FACTOR by inventor(s) Marc G. Achen, Andrew F. Wilks, Steven A. Stacker and Kari Alitalo described in

- ☐ the specification filed herewith
- ☒ application serial no. _____, filed August 21, 1997
- ☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other

than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: Ludwig Institute for Cancer Research
ADDRESS: 1345 Avenue of the Americas, New York, NY 10105
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION


FULL NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Heikki Lampi
TITLE IN ORGANIZATION President
ADDRESS OF PERSON SIGNING P.O. Box 26, SF-00014 University of Helsinki, Finland

SIGNATURE  DATE 18th of September 1997

Applicant or Patentee: Marc Achen et al.

Serial or Patent No.: _____ Attorney's Docket No.: 1064/42983

Filed or Issued: August 21, 1997

For: GROWTH FACTOR

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Ludwig Institute for Cancer Research
ADDRESS OF ORGANIZATION 1345 Avenue of the Americas
New York, NY 10105

TYPE OF ORGANIZATION:

- ☐ UNIVERSITY OF OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
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☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
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(CITATION OF STATUTE _____)

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than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: Helsinki University Licensing Ltd., Oy
ADDRESS: P.O. Box 26, SF-00014 University of Helsinki, Finland
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

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NAME OF PERSON SIGNING Edward A. McDermott, Jr.
TITLE IN ORGANIZATION President
ADDRESS OF PERSON SIGNING 1345 Avenue of the Americas
New York, NY 10105

SIGNATURE *Edward A. McDermott, Jr.* DATE August 26, 1997